

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Case No. 19-10677-MKV

Krailes Debrist Flores,

Chapter 7

Debtor.

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**ORDER CONFIRMING
ABSENCE OF THE AUTOMATIC STAY**

Upon the Motion (hereinafter “the Motion”) of Fay Servicing LLC as servicer for U.S. Bank National Association as Legal Title Trustee for Truman 2016 SC6 Title Trust (the “Movant”) dated March 28, 2019 seeking an Order: (i) pursuant to 11 U.S.C. § 362(c)(4)(A)(i) confirming that the automatic stay imposed by 11 U.S.C. § 362(a) did not take effect upon the filing of the instant petition as the debtor had two previous cases pending within the previous year which were dismissed; and (ii) granting such other and further relief as this Court deems is just and proper [ECF No. 14]; and upon the Debtor’s opposition to the Motion [ECF No. 16]; and the Court having held a hearing on the Motion on May 29, 2019 (the “Hearing”); and for the reasons as stated on the record at the Hearing; the Court hereby finds that

The Movant has established, and it is undisputed that the Debtor commenced a bankruptcy case on February 20, 2018 (18-10449-CGM), and that case was dismissed on June 4, 2018; the Debtor commenced a second bankruptcy case on August 27, 2018 (18-12565-CGM), and that case was dismissed on November 15, 2018; the Debtor commenced this third bankruptcy case on March 4, 2019; by reason of the foregoing, pursuant to 11 U.S.C. §362(c)(4)(A)(ii) it is hereby

ORDERED, that the automatic stay under 11 U.S.C. §362(a) **did not** go into effect upon

the filing the petition in this case

Dated: New York, New York
June 4, 2019

s/ Mary Kay Vyskocil
Honorable Mary Kay Vyskocil
United States Bankruptcy Judge